

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

ALIAS
SUMMONS IN A CIVIL CASE

CRESTVIEW CAPITAL MASTER, LLP.

CASE NUMBER: 08 cv 3263

V.

ASSIGNED JUDGE: Kocoras

DUANE MARTIN, an individual, MARC FRY, an individual, JOHN LEVY, an individual, and UNIVERSAL FOOD & BEVERAGE COMPANY, INC., a Nevada Corporation

DESIGNATED
MAGISTRATE JUDGE: Cole

TO: (Name and address of Defendant)

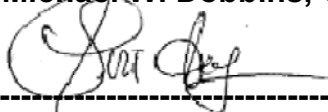
John Levy
110 Oak Tree Pass
Westfield, NJ 07090

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Robert E. Williams
Touhy, Touhy, Buehler & Williams, LLP
55 West Wacker Drive, 14th Floor
Chicago, Illinois 60601

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk



(By) DEPUTY CLERK

July 16, 2008

Date



AO 440 (Rev. 05/00) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ <i>Signature of Server</i> _____</p> <p style="text-align: center;">_____ <i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS

CRESTVIEW CAPITAL MASTER, LLP

Plaintiff

-VS-

DUANE MARTIN, an individual, MARC FRY, an individual, JOHN LEVY, an individual and UNIVERSAL FOOD & BEVERAGE COMPANY, INC., a Nevada Corporation

08 cv 3263

RETURN OF PERSONAL SERVICE

Alias Summons, Complaint and Exhibit A

Defendant)

RECEIVED
AUG 9 2008

BY: _____

Received by 1-800-SERVE-EM on July 17, 2008 at 3:26 PM to be served on John Levy, 110 Oak Tree Pass Westfield, NJ 07090.

I, James Denetz, who being duly sworn, depose and say that on July 24, 2008 at 11:00 AM , I:

Individually Served the within named person by delivering a true copy of the Alias Summons, Complaint and Exhibit A with the date and hour endorsed thereon by me, to John Levy at 110 Oak Tree Pass Westfield, NJ 07090.

I am over the age of 18, have no interest in the above action, and am authorized to serve process in the county in which the process was served.

James Denetz

1-800-SERVE-EM

800.737.8336

Job Serial Number: 2008316005

Reference: 08 cv 3263

1-800-SERVE-EM
August Process, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**CRESTVIEW CAPITAL MASTER, LLP,
MIDSUMMER INVESTMENT, LTD.,
KUAII PARTNERS, L.P., on behalf of
Themselves and all others similarly
situated,**

Plaintiffs,

v.

**DUANE MARTIN, an individual; MARC
FRY, an individual; JOHN LEVY, an
individual, and UNIVERSAL FOOD &
BEVERAGE COMPANY, INC., a Nevada
corporation,**

Defendants.

Case No. 08 cv 3263

Judge Kocoras

Magistrate Judge Cole

NOTICE OF FILING

TO: Douglas A. Albritton
Kellye L. Fabian
David L. TerMolen
Matthew J. Kramer
FREEBORN & PETERS, LLP
311 S. Wacker Drive, Suite 3000
Chicago, Illinois 60601

PLEASE TAKE NOTICE that on August 4, 2008, I shall file with the clerk of the U.S. District Court for the Northern District of Illinois at the Dirksen Federal Court Building, 219 South Dearborn Street, Chicago, Illinois and the attached the attached **PROOF OF SERVICE OF SUMMONS (JOHN LEVY)**, a copy of which is attached hereto and served upon you.

/s/Robert E. Williams
Robert E. Williams
One of the Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I, the undersigned, certify that a copy of the foregoing **PROOF OF SERVICE OF SUMMONS (JOHN LEVY)** was served on the following individuals, via electronic mail and/or ordinary U.S. mail, postage prepaid, this 4th day of August, 2008.

Douglas A. Albritton
Kellye L. Fabian
David L. TerMolen
Matthew J. Kramer
FREEBORN & PETERS, LLP
311 S. Wacker Drive, Suite 3000
Chicago, Illinois 60601

/s/Robert E. Williams
Robert E. Williams
One of the Attorneys for Plaintiffs

Robert E. Williams
TOUHY, TOUHY, BUEHLER & WILLIAMS, LLP
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